

09 JAN 1975

MEMORANDUM FOR: Chief, Real Estate and Construction Division, OL

SUBJECT : Acquisition of Space Under Public Buildings Act
of 1959 as Amended by Public Law 92-313

REFERENCE : Memo to D/L fm DD/A, dtd 4 Dec 1974

1. Public Law 92-313 provides that there is "...established in the Treasury of the United States on such date as may be determined by the Administrator, a fund into which there shall be deposited revenues and collections" from "User charges." The Act further provides that the "Moneys deposited into the fund shall be available for real property management and related activities in such amounts as are specified in annual appropriations Act without regard to fiscal year limitations."

2. The Federal Property Management Regulations implement Public Law 92-313 in Subpart 101-21. "Projects for the construction or alteration of public buildings, or for the alteration of leased buildings, for which GSA is responsible will be financed from the Federal Buildings Fund" Federal Property Management Regulations 101-21.501.

3. Public Law 92-313 and the Federal Property Management Regulations in 101-19.202 provide that projects shall be equitably distributed throughout the United States with due regard for the comparative urgency of the need for each project as determined by the Administrator of GSA.

4. Federal agencies identifying a need for construction of a public building are required to provide the necessary information and requirements to GSA within 60 days of the receipt of a request for such information to include: (1) a statement of net space occupied in public buildings by the Federal agency in the community for which the project is intended, and an itemization of area in square feet allocated to each specific agency function, (2) a firm statement of entire space and facility requirements, and (3) detailed information on space requiring special structural or mechanical facilities and such other information as provided in Federal Property Management Regulations 101-19.204.

5. Once the requesting agency has prepared its requirements for the proposed facility they are forwarded to the Director of Planning Staff, Office of Operating Programs, Public Building Service, GSA, who acts as the liaison for coordinating the requirements of the requesting agency in drafting the proposal and specifications for the construction project.

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6. The project requirements are then submitted to the Office of Space Planning and Management, Public Building Service. This office approves the project, prepares a prospectus, or statement of the proposed project including its description, location, estimated maximum cost, etc., as outlined in FPMR 101-19.003-5. Public Law 92-313 requires the preparation of a prospectus where the proposed construction involves an expenditure in excess of \$500,000.

7. The prospectus is submitted to the Office of Management and Budget for approval in accordance with the provisions of Executive Order 9384. If OMB approves the project, the prospectus is submitted to the Committee on Public Works of the Senate and House of Representatives for approval by resolution as provided in Section 7 of PL 92-313.

8. Upon approval by the Public Works Committees of the House and Senate, the project is then placed as a line item in the GSA budget for the next fiscal year. As previously noted, the priority of projects is determined by the Administrator of General Services. FPMR 101-19.202.

9. The GSA budget with the assigned priorities for construction is submitted to the Appropriations Committees of the House of Representatives and the Senate for approval and the final enactment as public law by the Senate and House of Representatives.

10. Projects approved by the Committees on Public Works of the Senate and the House of Representatives for which an appropriation has not been made within one year after the date of approval may be rescinded by either Committee by resolution at any time thereafter before such an appropriation has been made. PL 92-313.

11. Attached is a copy of "Program and Space Requirements" prepared by the U.S. Civil Service Commission for a proposed Federal Executive Institute and Managerial Training Center at Charlottesville, Virginia and a copy of the prospectus prepared for the Chairman, Committee on Public Works of the Senate. Although these attachments concern the construction by the University of Virginia and lease to the Federal Government of the proposed facility, they are representatives of the requirements which must be met to obtain the approval of any project under the Public Buildings Act of 1959 as amended by PL 92-313.

12. There is attached also a copy of PL 92-313, PL 93-391 making the appropriation for the General Services Administration for the fiscal year ending 30 June 1975, and a copy of Executive Order 9384, which are submitted as background information.

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13. Members of the Real Estate Branch, RECD held several informal meetings with GSA personnel including Mr. Jack Gural, Director of Planning Staff, Office of Operating Programs, Mr. Gerald Belt, member of the Planning Staff responsible for prospectuses, and Ms. Hilary Richards and Mr. James Barrett of the Space Management Division, Office of Operating Programs.

14. During these meetings it was elicited that a project managed under the Federal Buildings Fund would require an estimated four years for completion consisting of at least a year for the approval process, a year for the building design, and two years for construction. Public Law 92-313 provides that "No purchase contract shall be entered into under the authority granted under this section after the date of enactment of this section." Since no purchase contracts may be granted therefore after 16 June 1975, the time span for project approval eliminates this avenue for obtaining a building under PL 92-313.

15. The factor of political pressures was adroitly alluded to by GSA spokesman when the question of the assignment of priorities was broached. GSA assigns priority status to the construction projects approved in descending order and might receive appropriations from Congress on only 5 or 6 out of 100 projects, for example.

16. GSA personnel said that there were many projects which were not handled through the Federal Buildings Fund. A building under construction at the Atomic Energy Commission complex at Germantown was cited as an example. They thought that with the pressures of competing with all other Government agencies for the construction of buildings under the Federal Buildings Fund, the better approach and one more likely to obtain approval would be through whatever Committees of Congress controlled Agency matters, as had been done by the AEC. If this approach is taken, an informal approval is apparently obtained from the House and Senate Committees on Public Works.

17. The GSA personnel interviewed emphasized that the Federal Buildings Fund does not provide funds for feasibility studies or for the development of requirements for the construction of a building. When a building project is approved by the Public Works Committees of Congress and Funds have been appropriated, those funds will include site preparation and A and E expenses.

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Attachments:

1. Letter from Robert E. Hampton to Hon. Arthur F. Sampson
with attached Program and Space Requirements, June 1974
2. Letter from Arthur F. Sampson to Hon. Jennings Randolph
with attached prospectus No. PVA-75011
3. Public Law 92-313
4. Public Law 93-381
5. Executive Order 9384

Distribution:

Orig. - Addressee, w/atts
✓ 1 - OL/RECD Official
1 - OL/RECD/REB Chrono

25X1A

OL/RECD/REB [REDACTED] : pjc/3438

(9 January 1975)

Acquisition of Space Under Public Buildings Act of 1959
As Amended by Public Law 92-313

Preparation of Requirements by C.I.A. (C.I.A. Funds)

- ↓
G.S.A.
1. Review the Project (Planning Staff,
Office of Operating Programs, PBS,
Jack Gural
 - ↓
 2. Prepare Prospectus (Office of Space
Planning and Management, PBS)
Loy Shipp, Jr.

↓
O.M.B.
Project Approval

↓
Public Works Committee of the Senate and House of Representatives
Project Approval

- ↓
G.S.A.
1. Project Priority Established
 2. Submission of Project in GSA Budget

↓
House and Senate Appropriations Committees
Project Approval

↓
House of Representatives and Senate
Approval of Appropriation as Public Law

ROUTING AND RECORD SHEET

SUBJECT: (Optional)

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by Public Law 92-313

FROM:

Deputy Chief, Real Estate and
Construction Division, OL
906 Ames Building

EXTENSION

NO.

DATE

3017

10 January 1974

TO: (Officer designation, room number, and
building)

DATE

OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom
to whom. Draw a line across column after each comment.)

RECEIVED

FORWARDED

1. Chief, Real Estate
and Construction
906 Ames Building

REFERENCE: Memo dtd 4 Dec 74
to D/L fr DD/A

2.

3. Director of
Logistics
1206 Ames Building

Mike:

In response to the DD/A
request concerning the above
subject in the reference,
the attached paper, observa-
tions, sample procedural
documents, and relevant public
laws and executive orders are
submitted. Low profile
inquiries were made on the
above matter by our Real
Estate Branch as a natural
extension of our ongoing
interface with GSA officials
referred to in paper.

8.

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9.

GLENN

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14.

15.

IN VIEW OF YOUR PLANS TO STAY OUT AT HEB. ON MONDAY JAN 13
AND THE DESIRED DUE DATE OF THIS PAPER (JAN 15), I SENT THE
ORIGINAL AND ATTACHMENTS TO D/L ON FRIDAY JAN 10. CONTENT
LOOKS GOOD AND RESPONSIVE TO ME.

Lowery 1/10/75

Tony
Thayer.
your file.

REC'D FILE

Approved For Release 2000/08/10 : CIA-RDP86-01019R000200090003-2

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